



Attorney Docket No. 87437/CPK  
Customer No. 01333

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
Thomas M. Laney, et al.  
TITLE

THERMAL-EYE-TRANSFER MEDIA  
FOR LABELS COMPRISING  
POLY(LACTIC ACID) AND METHOD  
OF MAKING THE SAME

Serial No.: 10/783,411  
Filed: February 20, 2004

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Group Art Unit: 1774

Examiner: Bruce H. Hess

I hereby certify that this correspondence is being deposited today with  
the United States Postal Services as First Class Mail in an envelope  
addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria,  
VA 22313-1450

Cheryl L. Betteridge

NAME

SIGNATURE

DATE:

*Cheryl L. Betteridge*  
*Oct 11, 2005*

**REQUEST FOR RECONSIDERATION**

In response to the Office Action dated September 21, 2005, reexamination  
and reconsideration in view of the following remarks are respectfully requested.

Claims 1-50 are provisionally rejected under the judicially created doctrine  
of obviousness-type double patenting over either claims 1-50 of copending Application No.  
10/783,101 or claims 1-36 of copending Application No. 10/783,103.

Please note, the Office Action states "...over either claims 1-51 of copending  
Application No. 10/783,101 or **claims 1-50 of copending Application No. 10/783,411.**"  
Application No. 10/783,411 is the instant application. Applicant believes the Examiner  
intended "**claims 1-36 of copending Application No. 10/783,103**" as stated in the paragraph  
above.

Although Applicants contend the inventions are patentably distinct, in order  
to further prosecution, Applicants provide a terminal disclaimer in accordance with 37 CFR  
§1.321(c) to overcome the double patenting rejection. Reconsideration and withdrawal of  
the rejection are in order, and are respectfully requested.

Applicants submit all of claims 1-50 are in condition for allowance, no substantive rejection having been made. Prompt and favorable action in the form of a Notice of Allowance are respectfully requested. If the Examiner requires anything further, or has any questions, he is invited to contact Applicants' undersigned representative.

Respectfully submitted,



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**If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.**